## Case3:11-cv-01826-JSW Document 29 Filed 06/17/11 Page 1106 144 1 HARRISON PATTERSON & O'CONNOR LLP JAMES R. PATTERSON (211102) (jpatterson@hpolaw.com) 2 402 West Broadway, 29th Floor San Diego, CA 92101 3 Telephone: (619) 756-6990 Facsimile: (619) 756-6991 4 Attorneys for Plaintiff 5 TAMMIE DAVIS 6 COOLEY LLP MICHELLE C. DOOLIN (179445) (doolinmc@cooley.com) 7 JENNIFER M. FRENCH (265422) (jfrench@cooley.com) 4401 Eastgate Mall 8 San Diego, CA 92121 Telephone: (858) 550-6000 9 Facsimile: (858) 550-6420 10 COOLEY LLP BEATRIZ MEJIA (190948) (mejiab@cooley.com) 101 California Street, 5th Floor 11 San Francisco, CA 94111-5800 12 Telephone: (415) 693-2000 Facsimile: (415) 693-2222 13 Attorneys for Defendant 14 COLE HAAN UNITED STATES DISTRICT COURT 15 16 NORTHERN DISTRICT OF CALIFORNIA 17 SAN FRANCISCO DIVISION 18 19 TAMMIE DAVIS, an individual, on behalf of Case No. 11-cv-01826-JSW herself and all others similarly situated, 20 STIPULATION AND [PROPOSED] ORDER TO STRIKE CERTAIN ALLEGATIONS IN FIRST 21 Plaintiff. AMENDED COMPLAINT 22 v. 23 COLE HAAN, INC. a New York Corporation; and DOES 1 through 50, 24 inclusive. 25 Defendants. 26 27 28 ATTORNEYS AT LAW CASE No. 11-CV-01826-JSW

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1	After meeting and conferring regarding (i) allegations relating to injunctive and
2	declaratory relief, (ii) allegations relating to "damages" and "restitution and disgorgement," and
3	(iii) the jury demand asserted in the First Amended Complaint ("FAC"), plaintiff Tammie Davis
4	and defendant Cole Haan, by and through their respective counsel, hereby stipulate and agree
5	that the following portions of the FAC should be stricken:
6	<ul> <li>Page 1, line 14 and generally: the words "[DEMAND FOR JURY TRIAL]" and</li> </ul>
7	plaintiff's demand for trial by jury generally;
8	<ul> <li>Page 8, line 9: third paragraph in the Prayer for Relief in its entirety;</li> </ul>
9	• Page 8, lines 10-11: fourth paragraph in the Prayer for Relief in its entirety;
10	• Page 8, lines 12-13: fifth paragraph in the Prayer for Relief in its entirety; and
11	• Page 8, line 14: sixth paragraph in the Prayer for Relief in its entirety.
12	IT IS SO STIPULATED:
13	Dated: June 17, 2011 HARRISON PATTERSON & O'CONNOR LLP JAMES R. PATTERSON (211102)
14	JAIVILS R. FATTERSON (211102)
15	/s/ James R. Patterson
16	James R. Patterson
17	Attorneys for Plaintiff TAMMIE DAVIS
18	TAMMIE DAVIS
19	Dated: June 17, 2011 COOLEY LLP
20	MICHELLE C. DOOLIN (179445) BEATRIZ MEJIA (190948) JENNIFER M. FRENCH (265422)
21	JENNITER W. PRENCII (203422)
22	/a/ Ionnifon M. Enough
23	/s/ Jennifer M. French Jennifer M. French
24	Attorneys for Defendant
25	COLE HAAN
26	
27	
28	<sup>1</sup> Cole Haan was erroneously sued as "Cole Haan, Inc."
.w	1 CASE NO. 11-CV-01826-ISW

COOLEY LLP ATTORNEYS AT LA SAN DIEGO

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## FILER'S ATTESTATION 1 Pursuant to General Order No. 45, Section X, Subparagraph B, the undersigned attests that 2 all parties have concurred in the filing of this Stipulation Regarding Deadline to Respond to 3 Complaint. 4 5 Dated: June 17, 2011 **COOLEY LLP** 6 MICHELLE C. DOOLIN (179445) BEATRIZ MEJIA (190948) 7 JENNIFER M. FRENCH (265422) 8 9 /s/ Jennifer M. French Jennifer M. French 10 Attorneys for Defendant 11 COLE HAAN 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 2. ATTORNEYS AT LAW CASE No. 11-cv-01826-JSW

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[PROPOSED] ORDER Having considered the stipulation filed by plaintiff Tammie Davis and defendant Cole Haan, and good cause appearing, the following portions of the First Amended Complaint shall be stricken: Page 1, line 16 and generally: the words "[DEMAND FOR JURY TRIAL]" and plaintiff's demand for trial by jury generally; Page 6, line 20: third paragraph in the Prayer for Relief in its entirety; Page 6, lines 21-22: fourth paragraph in the Prayer for Relief in its entirety; Page 6, lines 23-24: fifth paragraph in the Prayer for Relief in its entirety; and Page 6, line 25: sixth paragraph in the Prayer for Relief in its entirety. PURSUANT TO STIPULATION, IT IS SO ORDERED. Dated: June 17, 2011 

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ATTORNEYS AT LAW
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